

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 7, 1962
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Absent: None

Present also: S. Reuben Rountree, Acting City Manager; Doren R. Eskew, City Attorney; Barent Rosen, Acting Chief of Police

Invocation was delivered by RABBI CHARLES MINTZ, Temple Beth Isarel.

MRS. FRANK KUTZSCHBACH filed a petition of 38 signatures protesting the garbage charge of \$15.00 a year. MR. AMOS HEROLD made a report of a study he had made on the garbage service charge ordinance and discussed briefly the pay increases. He filed a copy of "Remedies for the Garbage Ordinance Adopted May 10, 1962" with the Council.

MRS. MILLARD RUUD reported flooding conditions in the Boggy Creek Area that occurred Sunday, June 3rd, stating the problem is becoming more of a problem with more paved streets and the paving lying in the Airport. She listed the times she and others appeared asking help for this area, and acknowledged that the Council had begun work in the Govalle Area, but she wanted to point out the people in the Midway area have had no relief as yet. She mentioned Benton Road as one area that needed relief, stating the City had some channel improvements, but nothing has been done since December. Mrs. Ruud suggested straightening out the channel or putting in concrete blocks. She urged the Council to take into consideration the urgency of the petition and give relief to the people in that area. With Mrs. Ruud were Mrs. Barlow and other residents, and the Priest of the Church. Councilman Armstrong stated the City was cognizant of the problem and was doing all it could. He reported the conditions in Houston at this same time, with water getting into cars, and said Austin was not the only city that had water problems. The Mayor reported on the rain fall Sunday night noting it was not as much as had fallen in October, but it was the way it fell in the velocity and volume that caused the trouble. He said the Council was studying going into the Boggy Creek area under Urban Renewal which may accelerate

the work beyond the point where it was set up. Mrs. Ruud thought this would be a good plan. He stated the Council would like to meet with the people over there and tell them what will be involved and who will be affected. He stated the City would move as fast as it possibly could.

MR. FOE A. LAWRENCE submitted letters with 680 signatures, and a petition of 1474 signatures of people who are in favor of building the Internal Revenue Service in north Austin. He read a resolution adopted by the Elgin Chamber of Commerce as going on record of moving the location from south Austin to north Austin. Mr. Lawrence asked the Council to use its influence with CONGRESSMAN HOMER THORNBERRY to get the Internal Revenue located in north Austin. He read a newspaper article pertaining to taxes St. Edwards University paid and showed a photostatic copy of the records in the County Tax Office, and stated his Committee had not received proper newspaper coverage. MAYOR PALMER stated his position was that all of Austin should be very grateful to our Congressman for securing this I.R.S. for Austin, and the majority of the people felt that way. The Council's position is that it is going to work with the Government Service Agency to the fullest no matter where the I.R.S. is located, and the Council will cooperate with them in any way it can from the City's standpoint; and that Austin is deeply appreciative for having this place here. He said the G.S.A. chose the location, and no Council member discussed with the G.S.A. as to where the I.R.S. would be located.

MRS. HAMILTON DAUM submitted letters she received in connection with the paving at 408 Hillside Avenue. The address is on Park Lane, but the paving is on Hillside Avenue. She stated a draft in the amount of \$333 was sent for her to sign, when the paving was only \$233, and stated she was unable to get the discrepancy corrected, although she had made several attempts. Finally, after long detailed discussion, Councilman Shanks moved that the claim against Mrs. Hamilton Daum's property for paving be settled for \$233.20. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

MR. TOM PERKINS, Chamber of Commerce, requested in connection with the Aqua Festival, that weed cutting on Lake Austin be stopped until after the festival, as the weeds, after cut, come through the dam and go on down to Town Lake and mat up, and it would be desirable to keep that area as clear as possible for the Aqua Festival. Councilman Armstrong moved that on July 13th weed cutting be ceased until after the Aqua Festival. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

MR. TOM PERKINS, Chamber of Commerce, pointed out a problem at the launching site which the County and City constructed on Bull Creek, stating there was no dock area to pull up to, and a number of people pull their boats on the banks; and due to boats' causing heavy wakes, the docked boats are drawn back from the bank. He asked that signs be placed that a boat owner is in effect

liable for damage created by his boat's wake. The Mayor stated there was a speed limit of 10 miles per hour; but down on the Coast in the dock areas there are signs asking that the speed of boats be reduced. He stated the Director of Public Works would work with them.

MR. ROY LANE appeared before the Council regarding some overlay paving, stating his belief that he had once paid for this paving and that there were contracts to the effect that the upkeep would be taken care of. He stated he had been sent a draft to sign for this paving. He made inquiry as to whom would pay for the Missouri-Pacific Boulevard paving; and as to the length of time the overlay paving would stand. He also wanted to know what had become of the contracts. The Mayor explained that the type of paving on the street in front of Mr. Lane's property is a capital improvement, and that this is not maintenance work. As to how long the overlay program will increase the life of the street is a question of amount of traffic and many other things. He explained the paving of the Missouri-Pacific Boulevard. Councilman Armstrong stated there were only a very few people who protested or made any comment on the resurfacing, and that 95 or 96% had paid in advance and were very anxious to get the improvements made. Councilman Shanks stated when the down town area was improved in this overlay paving program, the Council received many compliments for having it done.

MR. SMITH THOMPSON, stated he thought the general public should vote on the City pay raises. He was 100% for the city employees, and he would like to see them get equal raises. The Mayor explained this increase had been worked out as fair and as equitable as it could be.

The Council greeted and welcomed MISS NANCY CHAPMAN, neice of the late MAYOR EMERITUS TOM MILLER.

The Mayor read a telegram of thanks and appreciation from MRS. JAMES MILLER to the Council for fixing the drainage ditch.

Councilman Armstrong moved that the Minutes of the Meetings of May 24th and May 31st, 1962, be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NELSON FUETT, JR., FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 51.480 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT AND THE GEORGE W. DAVIS SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 18.7 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NO. 57 AND JOHN APPELGAIT SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH

SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (North Lamar Park, Sec.1)

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 10.32 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY NO. 15, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Allandale Terrace, Sec.2, Phase 4)

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 2, 4, 6, 8 AND THE SOUTH 27.5 FEET OF LOT 10, BLOCK 2, BUDDINGTON ADDITION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Shanks moved that the ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 28TH DAY OF JUNE, 1962, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Santa Maria Street)

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 28TH DAY OF JUNE, 1962, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Club Terrace and Sundry other streets)

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 28TH DAY OF JUNE, 1962, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Aurora Drive and Sundry other streets)

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Shanks moved that the Council hold the Regular Council Meeting on WEDNESDAY, JUNE 20th rather than June 21st. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement, ten (10.00) feet in width, for public utility purposes, was granted the City of Austin in, upon and across Lot 3, Block 7, of Sherwood Oaks, Section Three, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Sherwood Oaks, Section Three, of record in Book 10 at page 71 of the Plat Records of Travis County, Texas; and,

WHEREAS, lands adjoining the above described property have been subsequently subdivided into Sherwood Oaks Section Four, the owners of said above described property have requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed, and will not be needed in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized to execute a release, on behalf of the City of Austin, the hereinafter described portion of above described easement, for public utilities, to wit:

All of the east five (5.00) feet of the west ten (10.00) feet of Lot 3, Block 7, of Sherwood Oaks, Section Three, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Sherwood Oaks, Section Three, or record in Book 10 at page 71 of the Plat Records of Travis County, Texas, SAVE and EXCEPT the south ten (10.00) feet of the said east five (5.00) feet of the west ten (10.00) feet of Lot 3, Block 7, Sherwood Oaks, Section Three.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL A CERTAIN PORTION OF SANDHURST CIRCLE, LOCATED IN ROYAL OAK ESTATES, SECTION TWO, IN THE CITY OF AUSTIN,

TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING
THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL THAT CERTAIN ALLEY TRAVERSING BLOCK 4, WALSH PLACE, LOCALLY KNOWN AS BONNIE ROAD ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY AND DRAINAGEWAY PURPOSES; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the ordinance had been finally passed.

The Acting City Manager submitted the following:

June 7, 1962

"To the City Council
 City of Austin, Texas

"Re: Completion and Acceptance of Work Improving Portions of Certain Streets in the City of Austin Being Assessment Paving Contract Number 61-A-19

"The work of improving portions of the following named streets in the City of Austin, being Assessment Paving Contract Number 61-A-19, dated August 4, 1961, between the City of Austin and Raymond Canion & Company, has been performed and completed by Raymond Canion & Company in full compliance with the contract and the plans and specifications therein contained:

<u>"Street</u>	<u>From</u>	<u>To</u>
Algarita Avenue	EPL Alameda Drive	WPL Alta Vista Avenue
Alta Vista Avenue	Pt. 137' N. of NPL East Live Oak St.	SPL Rosedale Terrace
East Annie Street	EPL Nickerson Street	EPL Drake Avenue
Arthur Lane	EPL Arthur Lane	WPL Rabb Road
Banister Lane	NPL Redd Street	SPL West Ben White Blvd.
Brackenridge Street	NPL East Monroe Street	NPL East Elizabeth Street
Butler Road	EPL South Lamar Boulevard	WPL Lee Barton Drive
East Side Drive	NPL East Live Oak Street	SPL Leland Street
East Elizabeth Street	EPL South Congress Avenue	EPL Brackenridge Street
West Elizabeth Street	EPL South 5th Street	WPL South 1st Street
Fletcher Street	EPL Wilson Street	WPL Euclid Avenue
Hillside Avenue	NPL Park Lane	SPL Academy Drive
Lee Barton Drive	NPL Barton Springs Road	SPL West Riverside Drive
West Monroe Street	EPL Bouldin Avenue	WPL South 1st Street
Norris Drive	NPL Beverly Heights Sub- division	EPL Rabb Road
Oak Crest Avenue	Pt. 512' S. of CL Terrell Hill Dr.	SPL Herndon Lane
Post Road Drive	Pt. 820' W. of WPL South Congress Avenue	WPL South Congress Avenue
Rabb Road	NPL Rabb Glen Street	SGL Melridge Place
Ridgeview Street	Pt. 320' W. of WPL Rabb Road	WPL Rabb Road
Rosedale Terrace	EPL Alameda Drive	WPL Alta Vista Avenue
Terrell Hill Drive	EPL South 5th Street	WPL South 1st Street
Toomey Road	Pt. 131' W. of WPL Jessie St.	WPL South Lamar Blvd.
Wilson Street	NPL Cumberland Road	SPL West Oltorf Street
South 2nd Street	Pt. 840' S. of SPL West St. Elmo Rd.	SPL West St. Elmo Rd.
South 2nd Street	NPL Fletcher Street	SPL West Live Oak Street

<u>"Street</u>	<u>From</u>	<u>To</u>
South 4th Street	Pt. 587' S. of SPL Terrell Hill Dr.	SPL Juanita Street
West 13th Street	EPL Rio Grande Street	WPL Nueces Street

"I have inspected, approved, and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans, and specifications referred to above.

"Respectfully submitted,
s/ S. Reuben Rountree, Jr.
Director of Public Works"

Mayor Palmer introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING ALGARITA AVENUE AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY RAYMOND CANION & COMPANY AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Acting City Manager submitted the following:

"June 1, 1962

"W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, June 1, 1962 at the Office of the Director of Water and Sewer Department for the Adjustment of Water Mains for Paving Group No. 22 in North and East Austin. The bids were publicly opened and read in the Second Floor Conference Room of the Municipal Building.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
Walter W. Schmidt	\$35,767.05	45
Faud S. Company	36,564.90	90
Fairey-Simons Company	37,292.20	75
Bland Construction Company	38,882.30	80
Austin Engineering Company	43,729.10	90
Karl Wagner, Incorporated	53,301.00	150
Capitol City Utilities	58,721.50	75

"It is recommended that the contract be awarded to Walter W. Schmidt on his low bid of \$35,767.05 with 45 working days.

"Yours truly,
s/ Victor R. Schmidt, Superintendent
Water Distribution System
s/ Albert R. Davis, Director
Water and Sewer Department"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 1, 1962 for the Adjustment of Water Mains for Paving Group No. 22 in North and East Austin; and,

WHEREAS, the bid of Walter W. Schmidt, in the sum of \$35,767.05 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Walter W. Schmidt, in the sum of \$35,767.05 be, and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with said Walter W. Schmidt.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an initial engineering and traffic investigation, the City Council has found that the maximum reasonable and safe speed for the operation of vehicles is fifty (50) miles per hour at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
U. S. Highway 183	Lamar Boulevard	Interstate 35

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and instructed to record these findings in Section 33.40 of the Traffic Register.

The motion, seconded by Councilman Shanks, carried by the following vote:
 Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
 Noes: None

The Mayor brought up the following ordinance for its second reading:

AN ORDINANCE WITH RESPECT TO THE PETITION OF SOUTHERN UNION GAS COMPANY FOR AN INCREASE IN ITS RATES FOR NATURAL GAS SERVICE IN THE CITY OF AUSTIN; DETERMINING AND FIXING MAXIMUM RATES TO BE CHARGED BY SUCH COMPANY WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN; MAKING IT UNLAWFUL FOR SOUTHERN UNION GAS COMPANY, OR ANY OTHER PERSON, FIRM, CORPORATION, RECEIVER OR LESSEE OPERATING A GAS DISTRIBUTION SYSTEM, OR ENGAGED IN THE BUSINESS OF FURNISHING NATURAL GAS SERVICE IN THE CITY OF AUSTIN, OR ANY OFFICER, AGENT, REPRESENTATIVE OR EMPLOYEE THEREOF TO DEMAND, EXACT OR COLLECT FROM ANY CONSUMER ANY CHARGE FOR NATURAL GAS IN EXCESS OF THE RATES FIXED HEREIN; PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE OF NOT LESS THAN \$50.00 NOR MORE THAN \$200.00 FOR EACH OFFENSE; REPEALING THE GAS RATE ORDINANCE PASSED AND APPROVED DECEMBER 8, 1955; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, BUT ONLY INSOFAR AS THE SAME MAY BE IN CONFLICT.

The ordinance was read the second time and Councilman White moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
 Noes: Councilman Perry

The City Attorney explained in detail the proposed amendment to the Minimum Housing Standards Code, stating the one passed in 1950 applied only to new construction, while the effect of this amended ordinance would be that it would apply to all human habitats in the city whether built before or after 1950. The enforcement is provided for in the building standards ordinance passed in 1955; and as a practical matter, the person who lives in a substandard house would still be permitted to live there; but as soon as the house is vacated, that house cannot be reoccupied until it has been brought up to standard. He explained the recertification of Austin by the Housing and Finance Administration, and their asking the City sometime ago how long it would take to bring these minimum standards into operation. The Council at that time authorized the City Manager to advise the Housing and Finance Administration that the City expected to be able to do something about this within a year. The year will be up about the first of July, and the City will not be able to obtain recertification unless these minimum standards are made uniformly applicable to all construction. The way the ordinance will be enforced is on a vacancy proposition. When a substandard house becomes vacant, then it would either be brought up to standard or not be permitted to be occupied. MRS. LEON DOWN expressed herself as thinking this was a good thing; that she would go further and cut off the utilities of substandard houses. MR. BOW WILLIAMS stated he thought the Council was exactly right. The City Attorney stated the Housing and Finance Agency did not look upon the Austin Building Code and Housing Code as being ideal, and they point out many places where they should be improved. He explained some of these provisions, and stated that the Council should clearly understand that while it is certain the city will not be recertified if the amendment to Sec. 14.17 is not passed, we are not assured of recertification by passing this one ordinance. MAYOR PALMER said he would suggest passing the Minimum Housing Standards Code through its first reading, and notify the people; and if there are any of these property owners or real estate owners that have any reason to complain, they can come before the Council next week and be heard. Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 14.17 OF THE AUSTIN CITY CODE OF 1954, SO AS TO MAKE THE MINIMUM STANDARDS FOR DWELLING UNITS UNIFORMLY APPLICABLE THROUGHOUT THE CITY; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, Mayor Palmer

Noes: Councilman White

The Council recessed until 3:00 P.M.

RECESSED MEETING

3:00 P.M.

At 3:00 P.M. the Council resumed its business.

MR. MIKE KELLY, Hoffman Construction Company, stated he had some property outside the City limits in Oasis Village, which he was proposing to sell to one

of the firemen. He said this development was all-electric. He asked that the Council approve this fireman's moving from his present home to the home in Oasis Village, which will be annexed shortly. The Mayor stated there was a long established policy that city employees should reside inside the City Limits. He asked if this property were in a Water District, and Mr. Kelly stated it was in Water District No. 5. Mr. Kelly stated also the property was served by septic tanks. The Director of Water Utilities stated when the Williamson Creek Line was in, sanitary sewers would be available. The Mayor suggested that Mr. Kelly check with Mr. Hoffman, and file a request for annexation through the proper channels, and the Council would take a look at it, after it had been cleared through all Departments.

The Acting City Manager stated the proposed building for the Public Works Department for housing a dozer, a back-end loader and front end loader, and other equipment, had received approval from the Town Lake Committee. He said the present building would be moved out to the Steiner Fill to be used by the watchman. After discussion, Councilman White moved that the Director of Public Works be permitted to construct a building to house these pieces of equipment and to provide a storage room and office. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Acting City Manager announced that authorization to proceed with construction of the north-south runway at the Airport had been received. Authorization to the Contractor would be mailed out today.

The Acting City Manager read a telegram of congratulations from MR. HOWARD PYLE, President National Safety Council, regarding outstanding achievement certificate having been awarded to Austin for maintenance of accident records, and on traffic engineering on basis of Traffic Inventory Program;

The Mayor read a petition signed by 229 employees of the City Electric Department expressing thanks and appreciation for the new retirement plan and salary and wage adjustment; and expressing recognition and appreciation of the difficult problem the Council faced in obtaining the money for the salary and wage adjustment plan, and stating they felt the plan was fair and equitable to all.

The Mayor stated the Director of Recreation had reviewed his Capital Improvement Program Plan to see if there was any way he could move up the construction of a swimming pool in South Austin, and had made a report. The Mayor said the Council could look at this report and make a comment next week.

The Assistant City Manager stated a letter had been received from MR. ED BLUESTEIN, Texas Highway Department, stating the Highway Commission had passed a Minute Order to go into the Origin-Destination Survey with the City. He reported he had answered the letter stating the City Manager would return to Austin the latter part of the month.

The City Attorney discussed a question of a special permit for a Hospital on Mr. Deloney's land between 34th and 38th Streets and Bailey Lane and Mills and 35th Street. Mr. Deloney has a tract containing more than five acres, but it is traversed by two Streets and Shoal Creek. The City Attorney described the Area. The Planning Commission did not pass on the question of whether the site contained five acres or not. Several conditions have been attached to the permit if granted. After discussing the matter, Councilman Shanks moved to give them a special permit to construct the Hospital. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Attorney stated the Southern Union Gas Company through its attorney MR. FRANKLIN DENIUS, had submitted an amendment to the franchise pertaining to the service charge of \$5.00. Their suggestion also contained a provision of allowing the company to require one and a half times the monthly bill for rooming houses, sororities, hotels, restaurants, etc. The present provision allows them to make a one-time deposit requirement. They can require a deposit of estimated monthly bills. The Company wants to charge a \$5.00 service connection fee and a deposit of one and a half times the average monthly bills of rooming houses, etc. Councilman White stated setting the meter was worth more than reconnecting the service; and it seemed that the charges should not be the same as there is more work in one than the other. The Council discussed the request of the Company and deferred action until the following week and discuss it with the Attorney.

FIRE CHIEF DICKERSON made a report on discussing the Groups 1, 2, 3, in the Captain rank with the captains, and not one of them told him that this would in any way hurt a Captain. One Captain on each one stands a chance to receive a \$65.00 raise if he reaches No. 3; the other two stand a chance for a \$39.00 raise. The Mayor stated the members of the Council had commented many times that they were proud of the Fire Department, and stated these step-up classifications were opportunities for those who do an extremely good job to advance; and in the long-run make even a more efficient and better Fire Department.

Councilman White moved that the Council reset the hearings on zoning applications for 11:00 A.M. June 28th instead of the 21st as advertised. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman Perry inquired about the current status of the MISSOURI PACIFIC RAILROAD BOULEVARD. The Acting City Manager made a report that the plans had been approved, with a few minor corrections, and that advertisement for bids will be made about the first of July. In addition to the approval of the plans, the Engineers are preparing plans for Windsor Road crossing.

The Council discussed briefly the appointment of members of the Planning Commission. Councilman Perry suggested meeting with the Planning Commission and discussing various matters.

Councilman Perry made inquiry about the contract with the State pertaining to billing them under the new electric contract.

Councilman Perry made inquiry about naming the Urban Renewal Committee.

Councilman Armstrong noted MRS. BEULAH HUNT's opposition to the garbage fee.

Councilman Armstrong complimented the Building Inspector MR. DICK JORDAN, on the efficient manner in which he handled the Oxygen Storage permit at St. David's Hospital, as he worked it out to a perfect solution.

Councilman Armstrong reported that MRS. RUSSELL FISH would like to have some iron stakes put in Pease Park to mark the boundary line.

Councilman Armstrong stated Mrs. Fish had made inquiry about the location of Wooten Park. The City Attorney gave a history of the acquisition of the park stating the Wooten's had given three acres, and this part had been named "Wooten Park". The three acres donated by the Wootens should be designated, and a sign put up stating it was "Wooten Park".

Councilman Armstrong brought up for discussion the purchase of three back-hoes for the Water and Sewer Department. MR. S. A. GARZA, Superintendent of the Sanitary Sewer Division, explained the operations of the Division and the need of two of the back-hoes for the Sewer Division, and one for the Water Distribution. The Mayor stated there were over a thousand new meters installed, and that was a lot to be tied into the system. The Council informally agreed to go ahead and authorize the advertisement for bids for these backhoes.

MAYOR PALMER reported a broken street light on Stratford Drive.

The Council discussed the request to purchase a 35' hydraulic aerial lift. The Mayor asked Councilman Armstrong to check this; and when he thought it was ready to be brought up, the Council would take it up.

The Acting City Manager filed the Street Paving Summary for June, 1962.

There being no further business, Councilman Perry moved that the Council adjourn. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 5:53 P.M., subject to the call of the Mayor.

ATTEST:

Elmer Woosley
City Clerk

APPROVED

Lester E. Palmer
Mayor